



**REGULAR CITY COUNCIL MEETING  
FRISCO CITY HALL  
GEORGE A. PUREFOY MUNICIPAL CENTER  
COUNCIL CHAMBERS  
6101 FRISCO SQUARE BLVD.  
FRISCO, TEXAS 75034**

**5:30 PM**

**TUESDAY, OCTOBER 21, 2008**

**MINUTES**

Mayor	Maher Maso	Present
Mayor Pro Tem, Place 1	Tony Felker	Present
Dep Mayor Pro Tem, Pl 3	Joy West	Present
Council Member, Place 6	Scott Johnson	Present
Council Member, Place 2	Jeff Cheney	Present
Council Member, Place 4	David Prince	Present
Council Member, Place 5	Bart Crowder	Present

**CALL TO ORDER**

Representing staff were: City Manager, George Purefoy; Deputy City Manager, Henry Hill; Assistant City Manager, Nell Lange; Assistant City Manager, Ron Patterson; Assistant to the City Manager, Amy Gill; Director of Frisco CVB, Marla Roe; Director of Engineering Services, Cissy Sylo; Fire Chief Mack Borchardt; Housing Coordinator, Stacey Brown; Director of Planning & Dev, John Lettelleir; Development Coordinator, Scott Ingalls; Police Chief, Todd Renshaw; Director of Public Works, Gary Hartwell; City Attorney, Richard Abernathy and Sr. Administrative Assistant Estela Barrera

Mayor Maso called the meeting to order at 5:35 p.m.

**CLOSED SESSION**

Jeff Cheney moved to Enter Recess. David Prince seconded the motion.

For:	6	
Against:	0	(None)
Abstain:	0	(None)

Mayor Maso announced the Council was in Closed Session at 5:35 p.m. as authorized

by Section 551.001 et. seq, to wit:

1. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit;
  - A. Section 551.072. To deliberate the purchase, exchange, lease or value or real property located:
    - i. South of US 380, North of Lebanon Road, East of FM 423, and West of Hillcrest Road.
  - B. Section 551.087. Deliberation regarding commercial or financial information that the City has received from a business prospect and to deliberate the offer or other incentives to a business prospect.
  - C. Section 551.074. Personnel Matters:
    - i. Discussion regarding the appointment, employment, and duties of a city secretary.
    - ii. Evaluation of Municipal Judge.
2. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

Tony Felker moved to Approve. Jeff Cheney seconded the motion.

Mayor Maso announced there was no action taken as a result of the Closed Session.

For: 6  
Against: 0 (None)  
Abstain: 0 (None)

### **INVOCATION**

Council Member Prince led the invocation.

### **PLEDGE OF ALLEGIANCE**

Staley Middle School students representing the National Junior Honor Society and Student Council led the audience in the Pledge of Allegiance and Texas Pledge of Allegiance.

### **PROCLAMATIONS**

3. FISD Red Ribbon Week

Mayor Maso proclaimed October 27th thru 31st, 2008 as Red Ribbon Week. Staley Middle School students representing the National Junior Honor Society and Student Council were present to accept Proclamation. Also in attendance was Gail West.

4. Chamber of Commerce Week

Mayor Maso proclaimed October 20th thru 24th, 2008 as Frisco Chamber of Commerce Week. John Land, President & CEO with the Frisco Chamber of Commerce was present to accept Proclamation.

5. Disability Employment Awareness Month

Mayor Maso proclaimed October, 2008 as Disability Employment Awareness Month. Cathy Packard, Executive Director for Special Care & Career Services was present to accept.

**REPORTS**

6. Public Works Monthly Report

Gary Hartwell

7. Planning & Development Monthly Report

John Lettelleir

8. Police Department Monthly Report

Todd Renshaw

9. Fire Department Monthly Report

Mack Borchardt

10. CVB Monthly Report

Marla Roe

**CITIZEN INPUT (to begin approximately at 7:30 p.m.)**

There was no one present for Citizen Input.

**CONSENT AGENDA**

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A majority of the Council is required to remove any item for discussion and separate action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

Bart Crowder moved to Pull Item 12. Jeff Cheney seconded the motion.

For:	6	
Against:	0	(None)
Abstain:	0	(None)

Joy West moved to Approve. Tony Felker seconded the motion.

For:	6	
Against:	0	(None)
Abstain:	0	(None)

Deputy Mayor Pro Tem moved to approve Consent Agenda as submitted except Item 12. Mayor Pro Tem Felker seconded the motion. Motion passed.

11. Consider and act upon approval of the Minutes from the October 08, 2008 Regular City Council Meeting. (CSO/SB)
12. Consider and act upon approval of a Resolution authorizing Cities Aggregation Power Project (CAPP) to negotiate and execute an Electric Supply Agreement and committing to purchase energy via CAPP through December 31, 2013. (CMO/AG)

Amy Gill was present to address the Council regarding authorizing Cities Aggregation Power Project (CAPP) to negotiate and execute an Electric Supply Agreement and committing to purchase energy via CAPP.

Bart Crowder moved to Approve Resolution No. 08-10-228R. Scott Johnson seconded the motion.

For:	6	
Against:	0	(None)
Abstain:	0	(None)

13. Consider and act upon approval of a Resolution denying Oncor Electric Delivery Company's rate increase request. (CMO/AG)

08-10-229R

14. Consider and act upon approval of an Interlocal Purchasing Agreement by and between the City of Frisco and North Texas Tollway Authority to allow North Texas Tollway Authority to purchase fleet fuel from the City of Frisco, and adoption of a Resolution authorizing the City Manager to sign this Agreement. (PW)

08-10-230R

15. Consider and act upon approval of a purchase order to TXI for cement treated base material during the fiscal year 2009. (PW)
16. Consider and act upon the approval of a Resolution authorizing the City Manager to execute an Agreement by and between the City of Frisco and HNTB, Inc. for professional services for renovation to Shawnee Sports Complex. (P&R/DR)

08-10-231R

17. Consider and act upon the approval of a Resolution authorizing the City Manager to execute an Agreement by and between the City of Frisco and Hillcrest 306 Partners L.P. for the purchase of a Neighborhood Park in the Miramonte Subdivision. (P&R/DR)

08-10-232R

18. Consider and act upon approval of an Interlocal Agreement by and between the City of Frisco and Frisco Economic Development Corporation for GIS services and adoption of a Resolution authorizing the city manager to execute the agreement. (IT/SO)

08-10-233R

19. Consider and act upon approval of an Interlocal Agreement by and between the City of Frisco and the Town of Prosper for GIS Services and adoption of a Resolution authorizing the city manager to execute the agreement. (IT/SO)

08-10-234R

20. Consider and act upon approval of a purchase order to Environmental Industries, LP, for the collection, transportation and disposal of household hazardous waste during the 2009 fiscal year. (PW)
21. Consider and act upon approval of a purchase order to H D Supply for the purchase of water meters and water meter parts during the 2009 fiscal year. (PW)
22. Consider and act upon approval of purchase orders with Ingram Library Services Incorporated, for the purchase of Library materials during the 2009 fiscal year. (LIB)
23. Consider and act upon approval of purchase orders to OverDrive's Digital Library Reserve, Inc. for the purchase of digital media hosting and download services during the 2009 fiscal year. (LIB.)

24. Consider and act upon authorization for the City Manager to execute Change Order Number 1 to the Standard Form of Agreement for Construction Services by and between the City of Frisco and Bowles Construction Co. for construction of the Legacy Drive 16" Waterline. (ENG/AH)
25. Consider and act upon approval of a Resolution authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Freese and Nichols, Inc. for Professional Design and Engineering Services for the relocation of utilities along the proposed TxDOT Right of Way for State Highway 289, from US Highway 380 to FM 3537. (ENG/JB)

08-10-235R

26. Consider and act upon authorization for the City Manager to execute Change Order Number 2 to the Standard Form of Agreement for Construction Services by and between the City of Frisco and Oscar Renda Contracting, Inc., for construction of the West Frisco Wastewater Improvements. (ENG./AH)
27. Consider and act upon adoption of a Resolution authorizing the City Manager to execute Amendment Number One to the Professional Services Agreement by and between the City of Frisco and Alliance Geotechnical Group for construction materials testing and engineering inspections services for the Frisco Sports Village. (ENG./JE)

08-10-236R

28. Consider and Act Upon a Resolution of the City Council of the City of Frisco, Texas, authorizing the Frisco Police Department to donate Old and Outdated Mobile Data Computers to Area Police and Fire Departments and providing an effective date. (POL/TR)

08-10-237R

29. Consider and act on Adoption of a Resolution authorizing the City Manager to execute a Boundary Adjustment Agreement between the City of Frisco and the City of Plano to establish the centerline of SH 121 as the boundary between the two cities. (P&D/JL).

08-10-238R

30. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a termination and release of impact fee agreement by and between the City of Frisco, Texas and Walid Realty Corporation and Abdel Jabbar Realty, Ltd. (P&D/JI)

08-10-239R

31. Consider and act upon approval of a purchase order for annual maintenance fees to Integrated Computer Systems, Inc. (ICS) for hardware and software related to the Police Records Management System, Public Safety Computer Aided Dispatch System and the Public Safety Mobile Data Computer System. (POL/TR)
32. Consider and act upon a Resolution authorizing the City Manager to execute an Impact Fee Agreement by and between the City of Frisco and Custer Road Marketplace, Ltd for thoroughfare impact fees. (CMO/RP)

08-10-240R

### **LEGISLATIVE AGENDA**

(These items may legally require Council Action, but by Council Policy should be the City Manager's responsibility. The Legislative Agenda can be acted upon in one motion. The concurrence of two council members is required to remove any item for separate discussion and action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

Joy West moved to Approve. Jeff Cheney seconded the motion.

For:	6	
Against:	0	(None)
Abstain:	0	(None)

33. Consider and act upon Amendment to Chapter 34, Article IV (Junked and Abandoned Motor Vehicles) Ordinance. (POL/TR)

Ordinance No. 08-10-95

34. Consider and act upon adoption of an Ordinance correcting a Clerical Error on Exhibit "A" of Ordinance No. 06-10-110. (P&D/JW)

Ordinance No. 08-10-96

### **REGULAR AGENDA**

35. Consider and act upon the acceptance of a letter of resignation from Debby Hanson, Convention Visitors Bureau Board Member. (CMO/GP)

Marla Roe was present to address the Council regarding letter of resignation from Debby Hanson, Convention Visitors Bureau Board Member.

Jeff Cheney moved to Approve. Bart Crowder seconded the motion.

For: 6  
Against: 0 (None)  
Abstain: 0 (None)

36. Consider and act upon approval of the rollover of unexpended FY 2008 Social Service Grant Funds to the FY2009 budget for reallocation. (CMO/SB)

Stacey Brown was present to address the Council regarding the rollover of unexpended FY 2008 Social Service Grant funds to the FY2009 budget for reallocation.

Joy West moved to Approve. Jeff Cheney seconded the motion.

For: 6  
Against: 0 (None)  
Abstain: 0 (None)

37. Public Hearing: Zoning Case Z08-0010, A request to amend Planned Development-169 regarding build-to lines and setbacks on 74.7± acres on the southwest corner of Gaylord Parkway and Parkwood Drive and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-169-Mixed Use. Neighborhood #35. (P&D/MW)

John Lettelleir was present to address the Council regarding a request to amend Planned Development-169 regarding build-to lines and setbacks on 74.7 acres on the southwest corner of Gaylord Parkway and Parkwood Drive.

David Prince moved to Open Public Hearing. Scott Johnson seconded the motion.

For: 6  
Against: 0 (None)  
Abstain: 0 (None)

There was no one present to speak for or against Item 37.

38. Consider and act upon Adoption of an Ordinance to amend Planned Development-169 regarding build-to lines and setbacks on 74.7± acres on the southwest corner of Gaylord Parkway and Parkwood Drive. Zoned Planned Development-169-Mixed Use. Neighborhood #35. Zoning Case Z08-0010. (P&D/MW)

Jeff Cheney moved to Approve Ordinance No. 08-10-97. David Prince seconded the motion.

For: 6  
Against: 0 (None)



Abstain: 0 (None)

39. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to Planning and Development Services, pursuant to Article IV, Section 1.07(C) of the Comprehensive Zoning Ordinance and/or Section 4.05 of the Subdivision Regulation Ordinance, regarding action taken by the Planning and Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to Planning and Development Services. (P&D/SI)

No Appeals.

40. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

No actions required.

Bart Crowder moved to Enter Recess. Joy West seconded the motion.

For:	6	
Against:	0	(None)
Abstain:	0	(None)

Recessed into Executive Session in compliance with Section 551.001

Scott Johnson moved to Reconvene. Jeff Cheney seconded the motion.

For:	6	
Against:	0	(None)
Abstain:	0	(None)

Mayor Maso announced there was no action taken as a result of Executive Session.

41. Discussion on Governance Monitoring of present City Council Meeting.

Deputy Mayor Pro Tem, Joy West, said Council did a great job.

## **ADJOURN**

There being no additional business, the meeting was adjourned at 9:01 p.m.

Scott Johnson moved to Adjourn. Jeff Cheney seconded the motion.

For:	6	
Against:	0	(None)
Abstain:	0	(None)

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Maher Maso, Mayor

ATTEST:

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Ron Patterson, Interim City Secretary